

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JC10 Rec'd PCT/PTO 23 MAY 2005

Applicants: BOYD, et al.

Serial No. 10/525,264

Filed: February 22, 2005

For: CATHEPSIN CYSTEINEPROTEASE INHIBITORS

Art Unit: To be assignedExaminer: To be assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK &amp; CO., INC.

By Lisa Jones Date 5/19/05

**INFORMATION DISCLOSURE STATEMENT**

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

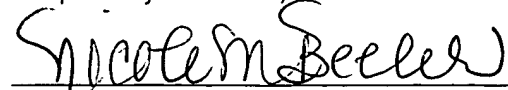
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: Nicole M. Beeler

Attorney \_\_\_\_\_ For Applicant(s)

Reg. No. 45,194

MERCK & CO., INC.

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Date: May 19, 2005

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE**  
**STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**COMPLETE IF KNOWN**

<b>Application Number</b>	10/525264
<b>Filing Date</b>	February 22, 2005
<b>First Named Inventor</b>	Boyd, et al.
Group Art Unit	
Examiner Name	
<b>Attorney Docket Number</b>	MC068YP

1

of

2

Attorney Docket Number	MC068YP
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## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
		PCT	WO 94/14811		CHONG KUN DANG CORP.	07/07/1994
		PCT	WO 00/49007		ASTRAZENECA AB	08/24/2000
		PCT	WO 00 49008		ASTRAZENECA AB	08/24/2000
		PCT	WO 00/55125		AXYS PHARMACEUTICALS, INC.	09/21/2000
		PCT	WO 01/49288		MERCK FROSST CANADA & CO., et al.	07/12/2001
		PCT	WO 02/069901		MERCK FROSST CANADA & CO., et al.	09/12/2002
		PCT	WO 02/098850		AXYS PHARMACEUTICALS, et al.	12/12/2002

Examiner  
Signature

Date Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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## INFORMATION DISCLOSURE

## STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

2

of

2

**Application Number**

10/525264

**Filing Date**

February 22, 2005

**First Named Inventor**

Boyd, et al.

### Group Art Unit

Examiner Name

Attorney Docket Number

MC068YP

## NON PATENT LITERATURE DOCUMENTS

Examiner  
Initials\*Cite  
No.

**Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.**

Oya, Shunichi, et al., Database Accession No. 124:4081, Nuclear Medicine and Biology, Vol. 22, No. 6, pp.749-757, 1995.

Database Accession No. BRN 2447392 & Yuki Gosei Kagaku Kyokaishi, Vol. 30, pp. 68, 74, 1972.

Database Accession No. Reaction ID 1403344, 1403367 & Suzue, S.; Irikura, T. -- Chem. Pharm. Bull., Vol. 16, No. 8, pp. 1417-1432, 1968.

Database Accession No. Reaction ID 227583 & Cook, et al. -- Chem. Soc., pp. 3227, 3229, 1949.

**Examiner  
Signature**

Date  
Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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